



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of :
Ulrich Khan et al. : Group Art Unit: 1614
Serial No.: 09/485,292 :
Filed: 3 May 2000 :
For: NEW EPOTHIOLONE DERIVATIVES, PROCESS FOR THEIR
PRODUCTION, AND THEIR PHARMACEUTICAL USE

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JUN 21 2002

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RESPONSE TO ELECTION OF SPECIES

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed 5 December 2001, and the requirement for an election of species therein, applicants hereby elect the species of Example 1 disclosed on page 182 of the specification which corresponds to the first compound of claim 8 (i.e., (4S, 7R, 8S, 9S, 13Z, 16S (E))-4,8-dihydroxy-7-ethyl-16-(1-methyl-2-(2-methyl-4-thiazolyl) ethenyl)-1-oxa-5,5,9,13-tetramethyl-cyclohexadec-13-ene-2,6-dione (A).

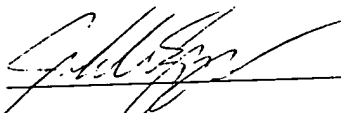
The examiner is encouraged to examine the broadest possible scope of invention indicated by the elected species.

In accordance with M.P.E.P. §803.02, the examiner is reminded that, should no prior art be found which renders the invention of the elected species unpatentable, the search of the remainder of the generic claim(s) should be continued in the same application. It is improper for the PTO to refuse to examine in one application the entire scope of the claims therein unless they lack unity of invention. The generic claims herein have not been alleged to lack unity of invention.

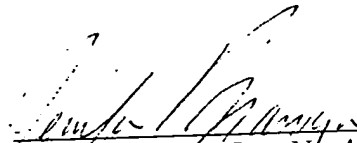
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WASHINGTON, D.C. 20231 ON: 5 JUN 02 ✓
NAME: Kenneth B. Bannister
SIGNATURE: [Signature]

Favorable action is earnestly solicited.

Respectfully submitted,



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Date: 5 June 2002
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